

SCOTTSDALE

# CITY COUNCIL MEETING

## AGENDA



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### COUNCIL

Mary Manross, Mayor

Ned O'Hearn

Wayne Ecton

David Ortega

Robert W. Littlefield

Tom Silverman

Monday, November 17, 2003

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**4:00 P.M.**

**MARKED AGENDA**

### City Council Special Meeting

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Blvd. – **4:03 P.M.**

**Roll Call** – **COUNCILMAN ORTEGA ABSENT**

1. Brief update on status of negotiations for acquisition of a portion of the following parcel for inclusion in the McDowell Sonoran Preserve: 780 acres of land located between Bell Road and Union Hills Road, at approximately 104<sup>th</sup> Street. Contact: Robert Cafarella 480-312-2577, ([rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov)) - **ATTORNEY WOODFORD**
2. MOTION TO RECESS INTO EXECUTIVE SESSION for: - **Ok – 5/0**
  - a. Discussion with representatives of the Public Body and discussion and consultation with City's attorney(s) for legal advice and to consider the City's position and instruct its representatives and attorneys regarding possible litigation and negotiations for acquisition of a portion of the following parcel for inclusion in the McDowell Sonoran Preserve: 780 acres of land located between Bell Road and Union Hills Road, at approximately 104<sup>th</sup> Street controlled by the Toll Brothers Company. A.R.S. 38-431.03 (A)(3), -(A)(4) and -(A)(7). Contact: Robert Cafarella 480-312-2577, ([rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov))

**Adjourn Special Meeting** – **4:06 P.M.**

### City Council Executive Session

Immediately Following 4:00 P.M. City Council Special Meeting

**Call to Order** – City Hall Kiva Conference Room

Executive session for any of the purposes listed on the agenda for the City Council Special Meeting scheduled for 4:00 P.M., above.

**Adjourn**

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**5:00 P.M.**  
**CITY COUNCIL MEETING**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:02 P.M.**

**Roll Call** – **ALL PRESENT**

**Pledge of Allegiance** - **SCOUT TROOP #889 FROM OUR LADY OF PERPETUAL HELP SCHOOL**

**Invocation** - **PASTOR TOM JELINEK FROM LOS ARCOS UNITED METHODIST CHURCH**

**Announcement** - **ADOPT-A-FAMILY PROGRAM IN NEED OF DONATIONS**

**Appointment**

Nomination and Appointment of Replacement City Council Member - **ROBERTA PILCHER APPOINTED**

**Public Comment** - **NONE**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

## **CONSENT AGENDA**      **ITEMS 1 - 6**

**1. Construction Bid Award for Chaparral Water Treatment Plant – OK – 6/0**

**Request:** Authorize Construction Bid Award No. 04PB034 for the construction of the Chaparral Water Treatment Plant, located at the southeast corner of McDonald Drive and Hayden Road, to Archer Western Contractors, the lowest responsive bidder, at their lump sum bid of \$57,153,000.

**Staff Contact(s):** Al Dreska, Capital Project Management Administrator, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Bill Peifer, Project Manager, 480-312-7869, [bpeifer@scottsdaleaz.gov](mailto:bpeifer@scottsdaleaz.gov)

**2. Acquire two easements for widening of 96<sup>th</sup> Street, Shea Boulevard to Thunderbird Road – OK - C**

**Request:** Adopt Resolution No. 6404 authorizing the acquisition of a Bus Shelter Easement and a Slope, Sidewalk & Landscaping Easement on property located at the SWC of 96<sup>th</sup> St. and Shea Blvd. From Drug (AZ) QRS 14-42, Inc. (formerly known as PCS, Inc.), for the total appraised value of \$30,965 plus approximately \$600 in closing costs, for the 96<sup>th</sup> St. Improvements CIP project (Shea – Thunderbird Road).

**Related Policies, References:**

- a. Resolution No. 6253 authorized the initiation of negotiations for the acquisition of 16 various parcels of right-of-way/easements (ROW) from nine property owners for the 96<sup>th</sup> St. Improvements project (Shea-Thunderbird Rd)
- b. Cactus Corridor Equestrian Overlay District
- c. Bond 2000 CIP Project

**Staff Contact(s):** Al Dreska, Capital Project Management Administrator, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Marek Urbanek, Project Manager, 480 312-2563, [murbanek@ci.scottsdale.az.us](mailto:murbanek@ci.scottsdale.az.us); Rhonda Thomas, Right of Way Agent, 480 312-7847, [Rthomas@ci.scottsdale.az.us](mailto:Rthomas@ci.scottsdale.az.us)

# CONSENT AGENDA

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## 3. 2003-2004 Signature Events Funding Agreements – OK w/ CHANGES – 6/0

### Requests:

- A. Authorize funds from the Bed Tax for event promotion in the amount of \$115,593 as recommended by the Tourism Development Commission (TDC) at their October 21, 2003 meeting for the following Signature Events:

<u>Signature Event</u>	<u>Recommended FY03-04</u>	<u>Actual FY02-03</u>
Arizona Sun Country Quarter Horse Show	\$12,048	\$12,624
Barrett Jackson Classic Car Auction	\$21,840	\$20,000
National Festival of the West	\$11,712	\$12,432
IMG Arizona Men's Tennis	\$12,057	\$16,560
FBR (Phoenix) Open	\$21,744	\$20,000
Scottsdale Arabian Horse Show	\$18,720	\$20,000
Scottsdale Downtown Art Walks	\$17,472	\$20,000
<b>Total</b>	<b>\$115,593</b>	<b>\$121,616</b>

- B. Authorize and direct the Tourism Development Manager to execute, on behalf of the City, individual agreements with each approved Signature Event Producer.
- C. Approve Resolution No. 6409 authorizing funding awards for the 2003-2004 Signature Events and authorizing the Tourism Development Manager to execute individual agreements with each Event Producer.

**Related Policies, References:** Ordinance No. 2049/2702 (amended) provides for the expenditure of bed tax funds for event promotion.

**Staff Contact(s):** David Roderique, General Manager-Economic Vitality, 480-312- 7601, [droderique@scottsdaleaz.gov](mailto:droderique@scottsdaleaz.gov); Kathy Carlisle O'Connor, Tourism Development Manager, 480-312-705, [kcoconnor@scottsdaleAZ.gov](mailto:kcoconnor@scottsdaleAZ.gov)

## 4. City Animal Control Ordinance Update – OK - C

**Request:** Adopt Ordinance Number 3535, amending City Code Chapter 4 (Animals) to conform to changes in the state animal control code, as required by Arizona Revised Statute.

**Staff Contact(s):** Molly Edwards, City Housing Manager and Contract Administrator for Animal Control, 480-312-4304; [medwards@scottsdaleaz.gov](mailto:medwards@scottsdaleaz.gov); Judy Register, Citizen and Neighborhood Resources General Manager, 480-312-2454, [jregister@scottsdaleaz.gov](mailto:jregister@scottsdaleaz.gov)

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## 5. Loloma “Main Street Plaza” design and pre-construction services agreements and first amendments to the Loloma Redevelopment Agreement – **OK - C**

### Requests:

- Confirm the execution of “construction manager at risk”, a.k.a. “CM@Risk” Pre-construction Services Agreement between Arts District Group, L.L.C., and The Weitz Company in the amount of \$41,000 for Public Underground Parking Facility, Developer Public Improvements and Structural Parking Garage Upgrades to accommodate the future Loloma Museum Plaza. Recent legislative amendments to Arizona Revised Statutes Title 34 now permit alternatives to the traditional Design-Bid-Build process for constructing public buildings and improvements. “CM@Risk” is a qualifications based selection of a contractor based on expertise and experience. The CM@Risk contractor is selected during the design phase of the project and provides input to value engineering, cost estimates, construction, schedules and continuously refines the project for cost and scheduling efficiencies.
- Confirm execution of Contract Amendment No. One to Contract No. 2003-002 between Arts District Group, L.L.C., and DFD Cornoyer Hedrick Architects in the amount of \$44,500 for additional design services for the Public Underground Parking Facility to accommodate the future Loloma Museum Plaza; and
- Authorize First Amendments to Loloma Redevelopment Agreement No. 2002-024:
  - a) First Amendment to Annex Parcel Option Agreement;
  - b) First Amendment to Walkway North Parcel Agreement;
  - c) First Amendment to Loloma Plat;
  - d) First amendment to Redevelopment Agreement.

### Related Policies, References:

- Loloma (Main Street Plaza) Phase I, Downtown Scottsdale DRB Case #33-DR-03 Approved June 19, 2003
- Zoning Case #2-ZN-00 and 7-UP-00
- Confirmation by City Council on March 17, 2003 of Contract No. 2003-002 between DFD Cornoyer Hederick (Project Architect) and the Arts District Group for design of the Public Underground Parking Facility at Loloma
- Resolution No. 6027 Adopted March 11, 2002 Loloma Redevelopment Agreement #2002-024

**Staff Contact(s):** Al Dreska, Capital Project Management Administrator, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Corey E. Lew, Project Manager, 480-312-7769, [clew@scottsdaleaz.gov](mailto:clew@scottsdaleaz.gov); Monique De Los Rios-Urban, Sr. Planner, 480-312-7898, [mdelosrios-urban@scottsdaleaz.gov](mailto:mdelosrios-urban@scottsdaleaz.gov)

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### 6. Special One-Time Holidays and Temporary Vacation Carryover Waiver – OK - C

#### Requests:

1. Authorize three Special One-Time Holidays:
  - ✓ Wednesday, December 24, 2003
  - ✓ Friday, December 26, 2003
  - ✓ Friday, January 2, 2004
2. Adopt Ordinance No. 3531 to authorize a temporary waiver of the vacation “maximum hours carryover to next year” for December 31, 2003.

#### Related Policies, References:

1. Scottsdale Revised Code Section 14-81 relating to Holidays
2. Scottsdale Revised Code Section 14-82 relating to Vacation
3. Administrative Guideline #354, Overtime Management and Utilization
4. Administrative Guideline #343, Leave Policies

**Staff Contact(s):** Neal Shearer, Human Resources General Manager, 480-312-2604, [nshearer@scottsdaleaz.gov](mailto:nshearer@scottsdaleaz.gov)

## REGULAR AGENDA      ITEMS 7 - 8

### 7. Consideration of the City of Scottsdale 2004 Legislative Program – OK w/CHANGES – 6/0

**Request:** Adopt the City of Scottsdale 2004 Legislative Program to provide policy direction to the Intergovernmental Relations Office regarding positions on issues to be discussed during the State of Arizona’s 2004 Legislative Session.

**Staff Contact(s):** Steve Olson, Government Relations Director 480 312-2423, [solson@scottsdaleaz.gov](mailto:solson@scottsdaleaz.gov)

### 8. Cattletrack Ranch Rezoning – OK w/ CHANGES – 6/0

#### Requests:

1. To rezone from Single Family Residential District (R1-43 & R1-35) to Single Family Residential District, Planned Residential Development District (R1-35 PRD) with amended development standards on a 5.5 +/- acre parcel located at the Southwest corner of Cattletrack/Miller Road and Lincoln Drive.
2. To adopt Ordinance No. 3534 affirming the above rezoning.

**Location:** Southwest corner of Lincoln & Cattletrack

**Reference:** 12-ZN-2003

**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)

#### Public Comment - NONE

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**City Manager's Report - NONE**

**Mayor and Council Items - NONE**

**Adjournment – 7:45 P.M.**

Section 2.17 of the Scottsdale City Code states, “Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting.” The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.